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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/157,984	09/22/1998	KWOK ON LAI	007198-353	3201

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EXAMINER

HAYES, ROBERT CLINTON

ART UNIT	PAPER NUMBER
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1647

DATE MAILED: 08/11/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/157,984			

EXAMINER	
ART UNIT	PAPER NUMBER
	23

DATE MAILED:


Please find below a communication from the EXAMINER in charge of this application

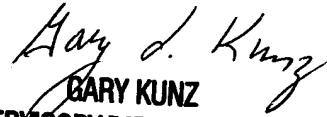
Commissioner of Patents

The communications filed on **04/06/01** and **07/13/01** and **10/24/01** and **02/06/02** remain not fully responsive to the communications mailed **11/06/00** and **06/14/01** and **09/25/01** and **01/02/02** because Applicants repeatedly have chosen to not conform with the SEQUENCE RULES. In other words, new claims 6-9 recite a new sequence, which is SEQ ID NO:13 (i.e., amdt C.; paper #15, filed 7/13/01). Amendment E (paper #18, filed 10/24/01) now removes SEQ ID NO:13 from the RAW SEQUENCE LISTING, even though the communication filed on **06/14/01** required SEQ ID NO:13 to be listed in the RAW SEQUENCE LISTING (i.e., Paper #14, mailed **06/14/01**). Applicants further have failed to amend the specification (e.g., pages 22 or 23) with what SEQ ID NO:13 represents, as required in both Paper NOs: 14 & 17, in accordance with 37 CFR 1.821 (a)(2)(d) which states that each sequence disclosed must appear separately in the "Sequence listing", and referenced appropriately *in the text of the description* and the claims. See MPEP 2422 & 2431. Of note, the mere mention of "NT-7(D15)" is not a disclosed sequence, because no Figures to support such were originally submitted with this application. Applicants must comply with the requirements of the Sequence Rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132. Alternatively, Applicants can cancel claims 6-9, as long as the paper copy and CRF are the same and do not contain SEQ ID NO:13.

Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment under 37 CFR 1.821(g). **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)**. In no case may an applicant extend the period for response beyond the six month statutory period.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Robert Hayes (Art Unit 1647) whose telephone number is (703) 305-3132.


Robert C. Hayes, Ph.D.
August 7, 2003


GARY KUNZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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